

may, without regard to such a Narrative, if not true, or the person be
 frugal and provident be reduced (as an Inhibition might be reduced)
 either at the Instance of the interdicted Person if he received no good Deed
 for interdicting himself 20 December 1622 Campbell contra L. Glenon
 - why 4 December 1623 Geichan contra Hay and David, for 25 July 1666
 Wilkie contra observed by Dirlston, or at the Instance of a Credit
 - tor, contracting with one so unjustly interdicted, after the Interdiction
 12 Feb. 1633 Forbes contra Forbes.

Judicial Interdiction, is a Sentence of the Lords of Session, discharging
 a Person known to be of extravagant Profuseness, and obnoxious to be
 easily cheated, to act without Advice and Consent of certain Interdictors.
 Which Prefatorial Power of interdicting Persons, belongs only to the
 Lords of Session, and to no inferior Judge. This kind of Interdiction, proceeds
 either *causa cognita*, at the Instance of a Person confessing his own Improb
 Weakness or extravagant Profuseness; or at the Instance of his Friends,
 or (which most resembles the Roman Interdiction) is pronounced by the
 Lords *ex proprio motu*, upon their own Experience or Knowledge of the
 Parties Obnoxiousness to be cheated 17 Feb. 1601 Robertson contra Gray
 In Order to put all Persons in mala fide to deal with such as are inter-
 - dicted, the Interdiction must be published. By the French Law it is
 ordained to be proclaimed in *Paroisse et Mercatu Argentor. tit. des Mi-
 neurs art. 492*, by sound of Trumpet.

With us the Lords issue forth Letters of Publication to be executed or
 served not against the interdicted Party himself 11 December 1622
 Seaton and Elies contra Creditors of Nicholson but only at the Market-
 - Cross of the head Burgh of the Jurisdiction where he lives by crying three
 several Oyeses (in Latine *oyesia* or *hoyesia* from the French word
 oyez, hear ye) publick reading of the Letters, and leaving or affixing
 a Copy thereof at the Market-Cross. The Reason why Interdiction
 need not to be executed against the interdicted Party himself, the In-
 - hibition must be served against the inhibited Party, personally or at
 his dwelling place, is because Interdictions are consented to by the Par-
 - ties, and Inhibitions served against their Wills. Further, the Inter-
 - diction must within 40 Days after Publication be recorded either in
 the particular Register of the Jurisdiction where the interdicted Per-
 - son lives and also where his Lands lie, if these and the dwelling place
 be within different Districts Act. 119. Par. 7. junct. Act. 264. Par. 15.
 J. C. or in the general Register at Edinburgh Act 13. Par. 60. J. C.
 otherwise the Interdiction is null. Recording in the general Regis-
 - ter affects all his Lands within Scotland; but Registration in the particu-
 - lar Register, affects no Lands without that Jurisdiction. The
 sole

The sole Design of Publication-Letters being to put the Lieges in mala
 fide; Inhibition upon a Bond of Interdiction, was found equivalent to a formal
 Publication, ad hunc effectum, to restore the interdicted Person against, he was
 enormously tested by 16 November 1676 Stewart contra Hay of Gourie. Albeit
 it was alleged, that Inhibitions are effectual only upon restrictive Clauf-
 - es in Favour of third Parties, or Heirs of Tailzie, and not when they
 terminate upon the Person inhibited and his lineal Heirs, in which
 Case he becomes Debtor and Creditor, and confusions tollitur obligatio.
 For there is nothing more ordinary, than to use Inhibition in stead of
 Publication. The Publication in general be absolutely necessary to complete
 an Interdiction; Bonds granted to the Interdictor himself, after he received
 the Bond of Interdiction, the before Publication thereof, are reducible 24
 July 1670 Frieron contra Fairziefer. And any Right made by the Inter-
 - diction to one who knew of the Interdiction, either by being a Witness to
 it, or by private Intimation made to himself, is quarrellable tho' the
 Interdiction was no otherwise published Argentor. tit. des Mineurs art.

492.
 Deeds of an Interdicted Person alienating Heretage to his Heir, without
 Concurrence of the Interdictors, are reducible *à capite interdictionis*, at the
 Instance of himself his Heirs Executors or Assignees, or Creditors, or even
 at the Suit of the Interdictors, without his Consent Stat. Inst. lib. 1. tit. 6. §. 42.
 Interdiction being only a special kind of Inhibition, all Exceptions that by
 Inhibition may be objected against Interdictions, I said the Deeds
 of interdicted Persons are reducible, because the Remedy of Interdiction
 cannot be had by way of Suspension or Exception 17 March 1630 Sempie
 contra M. nich and Noble 22 January 1631 Hardie contra Macaula
 contra M. nich and Noble 22 January 1631 Hardie contra Macaula
 20 June 1671 Crawford contra Halyburton. But it is sustained to the
 Pursuer by way of Reply; seeing he is Master of his own Process, and
 does thereby only delay himself 13 Feb. 1662 Lockhart contra Her-
 - nedy. Interdiction gives Interest to Apprizers or Adjudgers from the
 Heir of the Person interdicted, to reduce any voluntary Disposition there-
 - after, albeit they have no special Title to the Interdiction, but only appri-
 - zed the Lands of the Person interdicted *à un omni jure*. Tho' there be an
 anterior Apprizer or Adjudger, the Interdiction is appropriated to neither,
 but common to either, with-^{out} prejudice to the first Apprizing as Records.
 In the same way a second Apprizer or any Creditor may purifie upon
 Interdiction or Inhibition against another Creditor 20 Feb. 1666
 Lord Salton contra L. Park and Rotheman. Because Interdiction
 itself is not a Right, which can be directly apprized or adjudged, but